



# PESTICIDE *Update*

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Pesticide Section / Food & Drug Protection Division  
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Spring 2000

## PESTICIDE ADMINISTRATOR, JOHN SMITH, RETIRES

**N**CDA&CS Pesticide Administrator, John Smith, retired on February 1, 2000,

following 31 years of distinguished service in state government. John Smith has always been a man of the highest integrity whose dedication to the North Carolina Department of Agriculture & Consumer Services and the people of this State has been demonstrated time and time again. Continuously employed with the Department's Food and Drug Protection Division since 1969, he worked as an analytical chemist, laboratory manager and senior chemist. John took on the challenges of the state's



*John Smith, Pesticide Administrator retired after 31 years of Distinguished Service.*

Pesticide Program in 1981, a year in which comprehensive amendments to the North Carolina Pesticide Law of 1971 were adopted. John's administration of the Pesticide Program has been marked by many firsts. In 1981, the N. C. Pesticide Board was granted authority to levy civil penalties against violators of the N.C. Pesticide Law, allowing more rigorous and direct enforcement by the state. Fairness, consistency and impartiality have always characterized John's administration of these provisions. In 1982, North Carolina became the first southern state, and one of the few states in the

country, to adopt a comprehensive Worker Protection Standard to provide for the protection of agricultural hand laborers. John Smith carefully guided the Board and its Pesticide Advisory Committee through long deliberations on this issue—with the result being a

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*"He has consistently sought to uphold the principles embodied in the North Carolina Pesticide Law of 1971."*

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set of rules which would serve the state well for the next twelve years.

John implemented a quarterly newsletter, the *Pesticide Update*, in 1983, to provide a vital communications link with the regulated and general public on pesticide safety and regulatory issues. The same year also saw adoption of comprehensive pesticide storage regulations that for the first time provided a mechanism to ensure

*(See John Smith, Retires, Page 7)*

## Williams Begins Role as New Director

**M**r. E. Bruce Williams assumed the role of the Director of the Food & Drug Protection Division on August 1, 1999. In the adjacent photo, Mr. Williams is examining the portable pesticide mixing/containment pad that was presented to the North Carolina Pesticide Board at its November 9, 1999 meeting.

The new Division Director is a native of Hookerton, North Carolina (Green County) and is also a graduate of Campbell University. He first began working with the Division in 1972. Mr. Williams has served as the deputy director of the Food & Drug Protection Division since 1991, earning the Superior Service Award for his leadership in 1995.



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## New Licensing System On Line

by Julie Haigler, Registration, Licensing and Information Unit Manager

Commercial applicators and public operators! Did you notice a change in your license this year? Well, you should have. Since the middle of November 1999, the registration, licensing and Information Unit (RLIU) has been working on a new licensing system.

This new system allows RLIU personnel to make changes in the database directly online and to print licenses from their workstations. Address and phone number changes are easier and quicker to make than ever before. Turnaround time, from receipt of the license renewal to card printing, has been reduced this year as a result of our improved licensing system.

The old license system held all data on a central (main frame) computer. Data were entered by data processing assistants who were located downtown in the Agriculture Building. Cards and licenses were printed there as well. After being printed, cards and licenses had to be delivered to our offices on Blue Ridge Road, stuffed into envelopes, and then mailed.

Besides improvements in our operating efficiency, you may have also noticed that your card and license have a different appearance this year. The new license cards are made of a water-resistant paper and will withstand contact with moisture, but probably won't survive a complete dunking or an accidental trip through the wash cycle. Cards are mint green, as are the license certificates. Both should be more tolerant of adverse conditions than the previous cards and license certificates.

Eventually, we are hoping to go to e-commerce and be able to accept credit card payments for licenses. That change, however, is a little further down the road.

## Alleghany County Has Promising First Year

by Colleen Hudak, Special Programs Manager

**M**r. Bob Edwards, Pesticide Coordinator for Alleghany County, reports that 866 containers were recycled this first year of operation. Private applicators have been the main contributors of rinsed pesticide containers, but some commercial establishments are also participating in the recycling effort.

For storing rinsed pesticide containers, Alleghany County has an enclosed box trailer at its one transfer station in Sparta, North Carolina. Containers can be dropped off between 7:00 am and 7:00 pm, Monday through Saturday. If a farmer has 25 or more containers, transfer station staff will pick up the containers at the requested location.

Alleghany County has established an incentive program to encourage farmers and other applicators to participate in the new program. For each rinsed pesticide container brought to the transfer station or picked up by staff, a farmer will receive a \$1 voucher. Each voucher must be signed by both the transfer station staff accepting the container and by the donating applicator. Signed vouchers can be turned in to the Alleghany County Finance Office. Checks will be written by the county two times/year (July and November) for the vouchers that have been submitted.

Although Alleghany's PETF grant was issued in 1998, the county did not actually start collecting containers until May 1999. The months of January – April 1999 were spent in promoting the new program and bringing together the cooperating agencies for educational and planning sessions. All transfer station workers were trained to inspect pesticide containers for their acceptability. Farmers were made aware of the new recycling program at private applicator recertification meetings; they were also instructed regarding proper rinsing techniques. County officials were introduced to the program at an April cookout.

Mr. Edwards attributes the success of the Alleghany County Pesticide Container Recycling Program to the strong working relationship that has been formed among the Cooperative Extension Service, the Transfer Station personnel, and the County Commissioners. They have a common goal that unites them. Everyone feels good that they are helping to improve their local environment. At some point in the future, there may be a county ordinance banning pesticide containers from being brought to the transfer station for shipment to a landfill. Hopefully, by then, applicators in the county will be strongly committed to pesticide container recycling, and the transition will be smooth.

Mr. Edwards said that it is hard to put a dollar value on the savings to the county due to the new recycling program. The county benefits financially by not needing to pay for the transfer of recycled containers to a landfill for disposal. Also, there are the priceless savings to the county in terms of preserving the local environment.

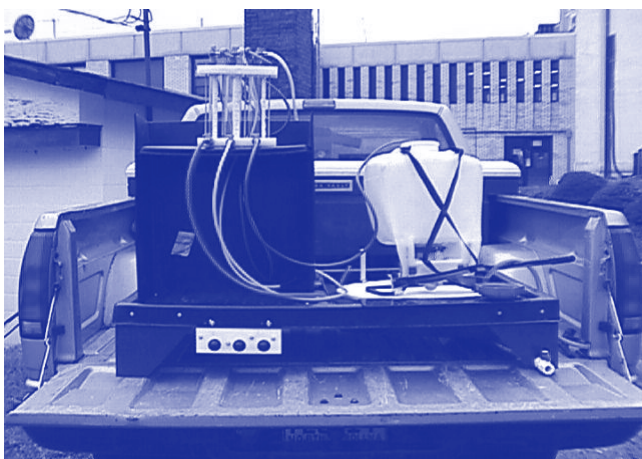




## Portable Pesticide Mixing and Containment Pads Are Ready for Use

by Colleen Hudak, Special Programs Manager

**A**t the November 9, 1999, NC Pesticide Board meeting, Mr. Jerry Moody, Associate Agricultural Extension Agent in Avery County, and Mr. Wes Wall, Manufacturing Specialist for the Industrial Extension Service/Manufacturing Extension Partnership, reported on a newly developed piece of equipment called a "portable pesticide mixing and containment pad." Funding for this project came from a 1996 award of \$10,000 from the state's Pesticide Environmental Trust Fund.



The primary goal of the project was to design a portable mixing pad that would contain spills occurring during the mixing of pesticides into backpack sprayers on mountainous or hilly landscapes. By containing accidental spills, the mixing pad should help to prevent off-site movement of pesticides and possible groundwater contamination. Since Christmas trees are often grown on very mountainous terrain, this newly designed unit is particularly well suited for the needs of Christmas tree growers. Most landscapers, however, also use backpack sprayers, as do nursery and greenhouse producers. Mr. Moody and Mr. Wall feel that the portable mixing pad will prove equally useful to these applicators as well.

Dr. Gary Roberson, a Specialist with the North Carolina State University's Biological and Agricultural Engineering Department, developed the initial design of the unit. The model that was presented to the Board is made of high-density polyethylene (light-weight but durable plastic) and is small enough to be picked up by one person and placed into the back of a pickup truck. The unit will hold

one backpack sprayer on a lazy susan. It is also equipped to handle up to three different 2.5-gallon pesticide containers. Plastic tubing (hoses) connects the pesticide containers to three graduated cylinders. A vacuum driven pump provides the force necessary to pull each pesticide from its container until the exact amount of undiluted pesticide is measured into the adjoining graduated cylinder. After a valve is opened, each chemical will then travel to the back-

pack sprayer for mixing. Color-coding is used to distinguish the three pump handles and their corresponding hoses so that there is no confusion regarding which chemicals have been mixed. A separate waterline allows triple rinsing the graduated cylinders and hoses with the rinsate being fed back into the sprayer.

The portable mixing pad is considered a closed system since the pesticides are always confined either within their original containers or the unit itself. Use of the mixing pad will therefore reduce the grower's potential for contact with pesticides during mixing. Another advantage offered by the mixing pad is the precision with which pesticides can be measured. The grower has assurance that his dosage is accurate and that he is not unnecessarily wasting costly pesticides.

Ten units have been produced, several of which have been promised to county extension offices in the western part of the state. If a grower is interested in seeing one of the units, he/she should contact the local Cooperative Extension Office. Questions can also be directed to Mr. Moody, Mr. Wall, or Dr. Roberson through the following contacts.

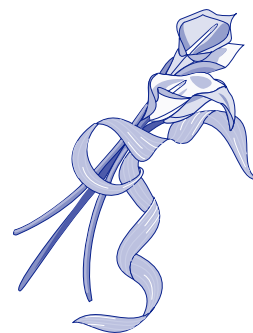
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### Editor's Note:

John L. Smith passed away on May 6, 2000, following a courageous battle with colon cancer. He will be greatly missed by family and friends.



## NCPB Actions

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t the August, September, November 1999 and February 2000, meetings of the North Carolina Pesticide Board, the following settlement agreements, including license suspensions and monetary penalties totaling \$32,150.00, were approved for alleged violations of the NC Pesticide Law of 1971. Consent to the terms of the settlement agreement does not constitute an admission of guilt to any alleged violation.

**H.J. Brice, Jr.**, Elizabethtown, for the alleged violation of distributing, selling, or offering for sale an adulterated or misbranded pesticide.

**Richard L. Cagle**, Denton, for the alleged violation of engaging in the business of a pesticide applicator without pesticide applicator's license.

**H. Frank Chamberlin**, Asheboro, for the alleged violations of transporting, storing, selling or distributing pesticides in a manner contrary to the regulations of the Board; and for offering for sale, distributing or selling any pesticide not in the registrant's or manufacture's unbroken immediate container.

**William K. Cottle**, Charlotte, for the alleged violations of use of a pesticide in a manner inconsistent with its labeling; for operating in a faulty, careless or negligent manner; for failing to supervise and guide the activities of personnel applying pesticides from the business location; and for applying pesticides under conditions where drift from pesticide particles or vapors result in adverse effect.

**Reginald S. Hill**, Columbia for the alleged violations of use of a pesticide in a manner inconsistent with its labeling; for operating in a faulty, careless or negligent manner; for failing to supervise and guide the activities of personnel applying pesticides from the business location; and for applying pesticides under conditions where drift from pesticide particles or vapors result in adverse effect.

**Crown Group Distributing**, Coeur d'Alene, Idaho, for the alleged violation of distributing, selling, or offering for sale an unregistered pesticide.

**Dillon Seed & Supply**, Dillon, South Carolina for the alleged violation of distributing, selling, or offering for sale an unregistered pesticide.

**Fred R. Hoffman**, Kannapolis, for the alleged violations of using a pesticide inconsistent with its labeling; for failing to supervise and guide the activities of personnel applying pesticides from the business location; and for applying pesticides under conditions where drift from pesticide particles or vapors result in adverse effect.

**House-Hasson Hardware Company**, Knoxville, Tennessee, for the alleged violation of distributing, selling, or offering for sale unregistered pesticide products.

**Wallace Hardware Co.**, Morristown, Tennessee, for the alleged violation of distributing, selling, or offering for sale unregistered pesticide products.

**Joseph B. Leggett**, Nashville, for the alleged violations of using a pesticide inconsistent with its labeling; for making a recommendation not in accordance with the label; and for operating in a faulty, careless, or negligent manner.

**Geoffrey A. Martin**, Banner Elk, for the alleged violation of engaging in the business of a pesticide applicator without a license.

**Wayne G. Moss**, Cashiers, for the alleged violation of discarding pesticide containers in a manner as may cause or allow open burning of pesticides or pesticide containers and by means other than those prescribed on the labeling.

**Don A. Oliver**, Norwood, for the alleged violation of making a restricted use pesticide available for use to any person other than a certified private applicator, licensed pesticide applicator, certified structural pest control applicator or structural pest control licensee.

**William L. Upchurch, Jr.**, Raeford, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; for making an application or recommendation not in accordance with the label; for deposition of a pesticide by aircraft on the right-of-way of a public road or within 25ft of the road, and for the deposition of a pesticide within 100ft of a residence. Settlement included a three-month suspension of Mr. Upchurch's Aerial Applicator (Pilot) License.

**Clyde M. Vickers**, Spindale, for the alleged violations of failing to pay the renewal pesticide dealer's license fee when due, and for continuing to offer for sale restricted use pesticides without a license.

**BWI Greenville/Spartanburg**, Greer, South Carolina, for the alleged violation of distributing, selling, or offering for sale unregistered pesticide products.

*(See NCPB Actions continued, Page 5)*

## NCPB Actions (continued)

**Shane M. Merriss**, Raleigh, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; for discarding pesticide containers in a manner to allow dumping of pesticides or pesticide containers by means other than those prescribed on the labeling; for storing pesticides in a manner to cause contamination of feeds, food, etc., or in a manner likely to result in accidental ingestion by humans or domestic animals; and for storing pesticides in a manner inconsistent with labeling.

**L. Wayne Boseman**, Rocky Mount, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; for making a recommendation or application not in accordance with the registered label; and for applying pesticides under conditions where drift from pesticide particles or vapors result in adverse effect.

**James Neal Boyd**, Pinetown, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; and for making a recommendation or application not in accordance with the registered label.

**The Butcher Company**, Marlborough, Massachusetts, for alleged violations of distributing, selling, or offering for sale an adulterated or misbranded pesticide.

**Kelly D. Flynn**, Lake Lure, for the alleged violations of acting in the capacity of a pesticide dealer without a license; and for failing to pay the original license fees.

**William T. Hess**, Greensboro, for the alleged violations of engaging in the business of a pesticide applicator without a license and for failing to pay the original license fees.

**Daniel A. Lancaster**, Pikeville, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; for deposition of a pesticide by aircraft on the right-of-way of a public road or within 25ft of the road, and for the deposition of a pesticide within 100ft of a residence and for deposition of a pesticide within 300 ft of the premises of ... a building other than a residence used for business.

**Richard D. Baxter**, Hendersonville, for the alleged violations of making a restricted use pesticide available to a person other than a certified private applicator, licensed pesticide applicator...; for gross negligence, incompetence or misconduct in acting as a pesticide dealer; and for distributing, selling or offering for sale a restricted use pesticide to an unlicensed pesticide dealer.

**Wayne S. Carland**, Mills River, for the alleged violations of making a restricted use pesticide available to a person other than a certified private applicator, licensed pesticide applicator...; and for gross negligence, incompetence or misconduct in acting as a pesticide dealer.

**Joe H. Carpenter**, Nebo, for the alleged violations of making a pesticide recommendation or application not in accordance with the registered label and for operating in a careless, faulty, or negligent manner. In addition, Mr. Carpenter's certification was suspended for two months.

**Matthew C. Crabbe**, Tarboro, for the alleged violation of depositing a pesticide within 100ft of a residence.

**David H. DeWitt**, Ellerbe, for the alleged violations of using a pesticide inconsistent with its label and for operating in a careless, faulty, or negligent manner. In addition, Mr. DeWitt's certification was suspended for two years.

**Do It Best Corporation**, Lexington, South Carolina, for the alleged violation of distributing, selling, and offering for sale a pesticide, which was not registered.

**Bob R. Dobson**, Morganton, for the alleged violations using a pesticide in a manner inconsistent with its label.

**Dragon Chemical Company**, Roanoke, Virginia, for the alleged violations of distributing, selling, offering for sale or delivering for transportation or transporting in intrastate commerce, pesticides which were adulterated or misbranded. The Pesticide Board further required, as authorized by the NC Pesticide Law, the manufacturer to remove all of the batches from the marketplace.

**Flora B. Garcia**, Rockingham, for the alleged violations of storing or disposing of a pesticide by means other than those prescribed on the labeling or by regulation; for failing to keep pesticide application records of restricted use pesticides; for failing to develop a prefire plan; and for failing to maintain a current inventory list of the restricted use pesticides stored by brand name and formulation.

**Darren M. Lewis**, Creston, for the alleged violations of using a pesticide in a manner inconsistent with its label; for operating in a careless, faulty, or negligent manner; and for storing or disposing containers or pesticides by means other than those prescribed on the labeling or by regulations.

*(See NCPB Actions continued, Page 6)*

## NCPB Actions (continued)

**Timothy S. McAllister**, Henderson, for the alleged violations of engaging in the business of a pesticide applicator without a license.

**Pennington Seed**, Columbia, South Carolina, for the alleged violations of distributing, selling, offering for sale a pesticide which was not registered.

**Stewart H. Roberts**, Asheboro, for the alleged violations of using a pesticide in a manner inconsistent with its label; and for applying a pesticide under conditions which caused the drift of pesticide particles or vapors resulting in adverse effect.

**Bobby R. Sherrill**, Boone, for the alleged violations of making a restricted use pesticide available to a person other than a certified private applicator, licensed pesticide applicator...; and for gross negligence, incompetence or misconduct in acting as a pesticide dealer.

**Donald L. Stotesberry, Jr.**, Pantego, for the alleged violations of using a pesticide in a manner inconsistent with its label; for applying a pesticide under conditions which caused the drift of pesticide particles or vapors resulting in adverse effect; and for depositing a pesticide, by aircraft, within 300 ft of the premises of ... any building (other than a residence) which is used for business or social activities... and is occupied by people. The NCPB further required Mr. Stokesberry to attend aerial training.

**Trace Chemicals, Inc.**, Pekin, Illinois, for the alleged violation of distributing, selling, offering for sale or delivering for transportation or transporting in intrastate commerce, pesticides, which were adulterated or misbranded. The Pesticide Board further required, as authorized by the NC Pesticide Law, the manufacturer to remove all batches of the pesticide from the marketplace and to create new batch numbers that identify the age of the pesticide.

**Voluntary Purchasing Groups, Inc.**, Bonham, Texas, for the alleged violations of distributing, selling, offering for sale or delivering for transportation or transporting in intrastate commerce, pesticides which were adulterated or misbranded. The Pesticide Board further required, as authorized by the NC Pesticide Law, the manufacturer to remove from the marketplace all batches of the pesticide produced prior to the new formulation procedures and to use a new batch code sequence.

## What's Your Heat Stress IQ?

*by Kay Harris, Worker Protection Specialist*

**A**ccording to the Occupational Safety and Health Administration (OSHA), worker compensation claims for heat related illnesses are among the highest number of claims filed for every occupation. How much do you really know about heat stress and heat stress related illnesses? Here are some facts to keep under your hat.

- Heat rash (a.k.a. prickly heat) can appear as red "pimples." It occurs when sweat glands of the skin become clogged because of extreme sweating. Heat rash usually disappears as the body temperature cools.
- Heat cramps are caused by loss of salt and electrolytes (calcium, potassium, and magnesium) during strenuous exercise.
- Heat exhaustion is characterized by nausea, giddiness, thirst, and headache. Excessive sweating causes heat exhaustion. If left untreated, heat exhaustion may progress into heat stroke.
- Heat stroke is life threatening. Body temperature exceeds 105 degrees F. Irritability, staggering, unconsciousness or convulsions, and a lack of sweating are common symptoms.

Excessive heat exposure, especially when the individual has not been acclimated to high temperatures, can bring about the variety of heat related disorders as described above. High temperatures and humidities, which are typical for North Carolina during the peak-growing season, can lower workers' mental alertness and physical performance. Increased body temperature and physical discomfort promote irritability, anger, and other emotional states, which sometimes cause workers to overlook safety procedures or to divert attention from hazardous tasks.

Pesticide handlers and early entry workers are at a particularly high risk because of the types of personal protective equipment they must wear as required by pesticide product labeling. The protective qualities of the equipment may in fact restrict the evaporation of sweat, blocking the body's natural cooling system. Exposure to certain pesticides can also produce sweating, creating a dual threat. In addition, hot, sweaty skin leads to increased pesticide absorption by the body. Thus, these individuals need to be closely monitored and should be required to take frequent rest breaks in order to avoid heat-related illness.

Because heat illness is by in large preventable, the Commissioner of Agriculture and state health care professionals strongly encourage the incorporation of a Heat Stress Control Program in all agricultural operations.

*For additional information on a Heat Stress Control Program, contact the NCDA&CS- Pesticide Section, Special Programs Unit or the Cooperative Extension Service in your area.*





## John Smith Retires (continued)

that local emergency response personnel are notified of pesticides being stored in their communities and that storage facilities be required to develop emergency response plans. John Smith provided the leadership and guidance throughout the rulemaking process. North Carolina remains one of only a handful of states to administer such rules.

During 1984, the Pesticide Board significantly amended its aerial application rules to prohibit "no deposit" in restricted areas. By adopting this concept and by deleting in 1988 the "householder consent clause", the Board enacted the toughest aerial rules in the nation. The following year, the Board adopted amendments to its ground application rules, dealing for the first time in N. C. with the problem of drift from ground applications.

The year of 1986 saw implementation of North Carolina's private pesticide applicator recertification program to ensure that farmers remain knowledgeable regarding safe handling and application of pesticides. Always keeping an eye to the future, John Smith reorganized the Pesticide Section during 1987, providing improved services in the areas of administration, registration and licensing, compliance monitoring, and field operations. The same year, John developed a successful legislative proposal making North Carolina the first state in the nation to provide ongoing free pesticide disposal assistance to farmers and homeowners. Other states are only now investigating such a possibility—another testament to John's vision and foresight.

In 1988, the Pesticide Board endorsed a proposal for the first comprehensive, statewide study of the impacts of labeled pesticide use on groundwater resources in the country. The General Assembly funded the pesticides and groundwater study, to be conducted jointly by the Department of Agriculture and the newly created Department of Environment, Health and Natural Resources. During 1993, the Pesticide Board repealed the state Worker Protection Standard and adopted by reference the federal revised standard. While other states lagged behind, North Carolina once again took the lead in implementing this federal regulation. North

Carolina was also the first state in the region to gain EPA approval of its Generic State Management Plan for pesticides and groundwater protection. This Plan was developed through an extensive year-long public process with input from all concerned state agencies, extension, industry, the Pesticide Advisory Committee, the Pesticide Board, and all interested segments of the regulated and general public. Because of his strong leadership, John was selected as the NCDA & CS's employee of the year for 1993, and was the Department's nominee for the 1994 Governor's Award for Excellence.

John has also made important regional and national contributions. He served as the President of the Association of Southern Feed, Fertilizer and Pesticide Control Officials during 1998-1990. In 1995, the National Association of State Departments of Agriculture awarded John the Honor Award for Outstanding Accomplishments in Service. John served as President of the Association of American Pesticide Control Officials from 1996 to 1997. He received a special Certificate of Achievement for his regulatory contributions from EPA Region IV in 1999.

Throughout his career, John Smith has earned the sincere respect of his staff, of local, state and federal regulators, as well as the regulated public and members of the general public with whom he interacts. He has consistently sought to uphold the principles embodied in the North Carolina Pesticide Law of 1971; to transform North Carolina's Pesticide Program into a national standard of excellence; and to prove that the protection of public health and continued environmental quality and the prosperity of this state's agricultural production systems are not mutually exclusive goals, but instead are vitally and inextricably intertwined.

John and his wife Pat have two children, Geoffrey and Joanna. We wish John the best of luck during his retirement

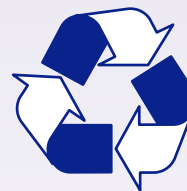


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the Pesticide Section.



**"Recycle this Paper"**

## North Carolina's Pesticide Container Recycling Program

### How Is Your County Doing?

USAg Recycling, Inc., the largest recycling contractor of plastic pesticide containers in North Carolina, recently reported that approximately 322,000 pounds of plastic pesticide containers were recycled during 1999, making North Carolina sixth in the nation in terms of total poundage granulated. North Carolina's overall rejection rate was very small; only 5% of donated containers had to be rejected because they did not meet the necessary standards for cleanliness.

Collection totals and rejection rates were reported for the following counties:

COUNTY	% REJECTED	POUNDS OF CONTAINERS RECYCLED
Beaufort	0%	2,156
Bladen	2%	6,424
Buncombe	2%	2,659
Caldwell	6%	6,559
Camden	1%	1,108
Columbus	1%	21,489
Cumberland	1%	44,658
Currituck	2%	2,298
Durham	1%	2,666
Edgecombe	6%	13,072
Forsyth	1%	5,022
Greene	20%	12,703
Halifax	22%	17,726
Henderson	0%	1,445
Hertford	1%	1,246
Iredell	7%	12,237
Jackson	0%	2,760
Johnston	0%	3,182
Lee	1%	3,162
Montgomery	0%	3,178
Pasquotank	0%	14,325
Pender	1%	4,420
Perquimans	2%	15,401
Randolph	1%	4,372
Robeson	6%	15,764
Rowan	10%	4,407
Scotland	8%	4,240
Surry	3%	4,948
Union	3%	36,462
Vance	2%	3,773
Wake	1%	7,303
Wayne	0%	37,658
Yadkin	0%	2,998

*[Note: Counties that use contractors other than USAg Recycling, Inc. are not listed in the above table.]*



## Dog Poisoning: A Serious Misuse of Pesticides

**A**lmost every landowner, whether living on a rural farm or in a suburb, has faced the problem of someone else's uncontrolled pet running free on his property. The problems caused by such a situation can range from damaged flowers and shrubs to incidents as serious as killed livestock and family members being bitten or attacked. Often the damage is inflicted without the ability of the landowner to catch the offending animal. Continued problems from uncontrolled animals can result in the landowner taking actions that may be illegal and could result in fines or other unfortunate consequences. As a result, more often than we like, pesticide inspectors find ourselves involved in investigations regarding the suspected pesticide poisoning of an animal.

During the past year, I was involved in such an investigation. While investigating this case, I discovered the possibility that as many as sixty dogs had been poisoned, most of which resulted in the death of the animal involved. The seriousness of this case and the outcry from the community were such that a detective from the local sheriff's department was also assigned to the investigation. As more reports came in of dogs being found dead or dying, the news media became interested. Television reporters with cameras arrived, and local newspapers began to cover the story. Suspicious animal deaths almost always get front-page coverage and are often lead news stories on local television and radio, but this is especially true when pesticides are suspected of being involved. Based on animal tissue recovered by local veterinarians from the dead animals, the N.C. Department of Agriculture and Consumer Services' diagnostic lab determined that a pesticide had been used in the poisonings. Within two weeks from the day that we started the investigation, an arrest was made. The individual responsible con-

fessed to having placed pesticide-laced bait on his property to poison dogs that were killing poultry and threatening children. Three charges of cruelty to animals and one count of using a pesticide in a manner inconsistent with its labeling were brought against this person.

A guilty plea was entered during the trial, and the judge ordered the following: thirty-six months on supervised probation, completion of 100 hours of community service, payment of court costs, a \$200.00 fine for each offense, \$4,175 in restitution, and loss of all hunting privileges for three years. Even more consequential than the judge's ruling, may be the embarrassment, stress, anxiety, and harassment that the spouse and children endured and will continue to endure.

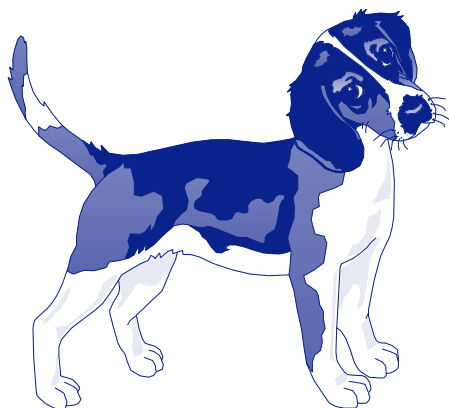
Animal poisonings can also have other far reaching consequences on the agricultural community as a whole. Pesticides play a necessary part

in the production of most crops. If misuse of certain pesticides continues to be documented, this could lead to banning or canceling of some uses. Loss of crop protection chemicals and/or uses could have a negative economic impact on large groups of farmers who are in no way involved in pesticide misuse. In addition, the image of all farmers can be tarnished by these incidents, resulting in a negative public opinion of agriculture and pesticide use. It is the responsibility of all farmers to be good stewards of crop protection chemicals, to use them only as intended by their labels, and to store them securely to avoid unauthorized access.

When encountering an animal problem, a landowner should look at legal alternatives for correcting the situation. First, try contacting the owner of the animal and talking with this person about your concerns. If this approach fails, then contact your local animal control office for assistance. Before taking any action directly against an animal, talk with the county sheriff's department and understand what legal rights you have as a landowner. Please

by Tom Bowman, Pesticide Inspector I

remember that no matter what alternative you choose, the use of a pesticide to poison a dog or other domestic animal is never a viable option. The intentional pesticide poisoning of an animal has far-reaching consequences, none of which are in the best interest of the landowner.



### Permanent Collection Sites for Pesticide Disposal

#### Ashe County

Contact: *Scott Hurley*  
Call for Details  
By Appointment  
336-246-3721

#### Cumberland County

Contact: *Charles Whittenton*  
Call for Details  
By Appointment  
910-437-1907

#### Forsyth County

Contact: *Michelle Sakwa*  
Call for Details  
By Appointment  
336-788-8070

#### Guilford County

Contact: *Debra Meurs*  
Call for Details  
By Appointment  
336-373-2167

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## Pesticide Disposal Collection Day Schedule Spring, 2000

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### Haywood County

Contact: *Wallace Simmons*

July 11, 2000

10:00 a.m.-2:00 p.m.

828-456-3575

### Henderson County

Contact: *Mark Lancaster*

July 12, 2000

10:00 a.m.-2:00 p.m.

828-697-4891

### Mitchell County

Contact: *Jeff Vance*

July 13, 2000

10:00 a.m.-2:00 p.m.

828-688-4811

**\*\* CONTACT YOUR COUNTY COORDINATOR FOR SPECIFIC INFORMATION\*\***

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*For more information on pesticide disposal, contact Royce Batts or Derrick Bell, NCDA&CS-  
PESTICIDE ASSISTANCE PROGRAM at (919)715-9023 or (919)733-7366.*

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### Attention: Wood Treaters

As of January 1, 2000, N.C. State University's Pesticide Education Program adopted a new training manual for applicators seeking licensing in the "Wood Treatment" category. This new manual is entitled The Preservation of Wood: A Self Study Manual for Wood Treaters.

All Applicators who are preparing for an upcoming licensing examination in this category should obtain this new study manual from Dr. Wayne Buhler's office (919-515-3113).

NCDA&CS's examination for the "Wood Treatment" Category is now based on this manual.

## Prevention of Pediatric Pesticide Poisonings in North Carolina

by Colleen Hudak, Special Programs Manager

**M**ost people will agree that childhood poisonings are usually preventable accidents. Still, the American Association of Poison Control Centers reports over 1 million incidences per year in the United States involving children. In 1998, the Carolinas Poison Center in Charlotte received over 61,000 calls involving human exposure to a variety of toxic substances, and 54% of those involved children five years and under. Since the North Carolina Department of Agriculture and Consumer Services regulates many of the prod-

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*"Over 61,000 calls involving human exposure... and 54% of those involved children five years and younger"*

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ucts involved in these poisonings, the Department is initiating a public education program to reduce pediatric poisoning.

At its November 9, 1999 meeting, the North Carolina Pesticide Board approved \$150,000 in funding to support a project proposed by Dr. Darrell Sumner, a toxicologist with Wake Forest University School of Medicine. The project, "Prevention of Pediatric Pesticide Poisonings in North Carolina," is intended to increase public awareness of the hazards of household pesticides. Funding will come from the state's Pesticide Environmental Trust Fund (PETF) which is supported by environmental fees assessed companies that register pesticides for sale in North Carolina.

The current project will target the parents and other caregivers of toddlers. The focus will be household chemicals that are registered as "pesticides" by the U.S. Environmental Protection Agency. Antimicrobial surface cleaners, insect repellents, ant baits, and pet products for flea and tick control are just a few of the products that would fall within the scope of the project.

There will be no intent to discourage the use of cleaning agents or materials to keep vermin out of homes, but rather, proper use and storage will be emphasized. A variety of media approaches (television, radio, print, etc.) will be adopted. A commercial public relations firm will be enlisted so that the materials developed are appealing and timely.

Dr. Sumner will also be assisted in the project by a steering committee composed of a variety of stakeholders chosen from governmental agencies and nonprofit organizations that deal with children's health and welfare issues. The committee will help to determine project directives and provide oversight of the development of appropriate educational materials.

Data from a variety of sources indicate that when there is an increase in public awareness of the hazards of household materials, then the incidence of serious poisonings decreases. Dr. Sumner will work in conjunction with the Carolinas Poison Center to compare data collected before and after the campaign has been initiated to determine the success of the project. The project is currently funded for a one-year period. Dr. Sumner expects to have the campaign underway by late summer of this year.

*Dr. Darrell Sumner is an Associate Professor of Physiology and Pharmacology (Toxicology) at Wake Forest University School of Medicine, Winston-Salem, NC.*

*If you have any questions about this project contact Dr. Colleen Hudak, Special Programs Manager, at (919) 733-3556*



## Section 18 Emergency Exemption Protects Bees

by Julie Haigler, Registration, Licensing  
and Information Unit Manager

North Carolina has faced a tremendous drop in its bee population in recent years, to the concern of beekeepers and farmers alike. To aid in the protection of hives from small hive beetles and Varroa mites, a FIFRA Section 18 emergency exemption for *Chekmitte Bee Hive Pest Control Strips* was approved for use in North Carolina by the USEPA on February 10, 2000. Both insects are pests of bees and their hives, and an infestation of either can result in the death of a hive. *Chekmitte Strips* are small, narrow pieces of plastic embedded with 10% coumaphos (an insecticide). They are placed in the bee hive brood chambers after the super is removed. Since the super is the part of the hive where honey is actually made and stored, the coumaphos strips are never in contact with the honey.

State law requires that products approved for use under Section 18 of FIFRA be **restricted use pesticides**. Therefore, for the installation of the bee strips to be legal, an applicator must either be a certified private applicator or a licensed commercial applicator, or work under a certified or licensed applicator. The label must be followed exactly in order to prevent coumaphos residues from contaminating the honey and to avoid resistance from developing in the small hive beetle and Varroa mite populations.

If you would like a copy of the label, please call the Pesticide Section at (919)733-3556. This Section 18 emergency exemption expires February 1, 2001.

## PESTICIDE CERTIFICATION EXAM SCHEDULE

**T**he testing site for commercial license and private applicator certification examinations is the McKimmon Center, located at the corner of Gorman Street and Western Boulevard in Raleigh. These examinations are given twice a month. **Reservations must be made two weeks prior to test date.** Contact Mike Williams at (919) 733-3556 to make reservations or for further information.

**PLEASE NOTE:** Picture identification such as a driver's license must be shown at the time of an exam.

Exams are also given at the end of all pesticide schools conducted by the North Carolina Cooperative Extension Service. A schedule of these schools and training materials may be obtained from: Dr. Wayne Buhler, Dept. of Horticultural Science, Box 7609, NCSU, Raleigh, NC 27695. Telephone: (919) 515-3113.

### *For More Information*

#### **PESTICIDE SCHOOLS AND MATERIALS FOR CERTIFICATION AND RECERTIFICATION**

**CONTACT:** Dr. Wayne Buhler, Dept. of Horticultural Science, Box 7609, NCSU, Raleigh, NC 27695. Phone (919) 515-3113

#### **CERTIFICATION, LICENSING, AND RECERTIFICATION CREDITS OR TESTING**

**CONTACT:** Mike Williams, Pesticide Section, NCDA&CS, P.O. Box 27647, Raleigh, NC 27611. Phone (919) 733-3556

#### **PRIVATE APPLICATOR RECERTIFICATION CLASSES**

**CONTACT:** Your local Cooperative Extension Service office

#### **COMMERCIAL APPLICATOR AND DEALER RECERTIFICATION CLASSES**

**CONTACT:** Pesticide Section Homepage [www.agr.state.nc.us/fooddrug/pesticid](http://www.agr.state.nc.us/fooddrug/pesticid)

#### **PESTICIDE CONTAINER RECYCLING**

**CONTACT:** Colleen Hudak, Pesticide Section, NCDA&CS, P.O. Box 27647, Raleigh, NC 27611. Phone (919) 733-3556

#### **PESTICIDE WASTE DISPOSAL**

**CONTACT:** Royce Batts, Food and Drug Protection Division, NCDA&CS, P.O. Box 27647, Raleigh, NC. 27611  
Phone (919) 733-7366 or (919) 715-9023.

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